IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TOUR Cation of:

Confirmation No. 3302

Art Unit: 1636

In re application of:

Hartley et al.

Appl. No. 10/058,291

Filed: January 30, 2002

For:

Recombinational Cloning Using Engineered Recombination Sites

Examiner:

To Be Assigned

Atty. Docket: 0942.285000I/RWE/BJD

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TECH CENTER 1600/2900

Commissioner for Patents Washington, D.C. 20231

Via Hand Carry Art Unit 1636

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Information Disclosure Statement

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents AM4 and AP4 cited on Form PTO 1449:

Document AM4, WO 98/53056, is in the German language. An unverified English language abstract of document AM4, obtained from Derwent WPI, is attached as document AR66.

Document AP4, WO 99/25851, is in the Japanese language. An unverified English language abstract of document AP4, obtained from Derwent WPI, is attached as document AS66.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits or before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants Registration No. 42,473

Date: June 18, 2002

1100 New York Avenue, N.W. Suite 600 Washington, D.C. 20005-3934 (202) 371-2600 ::ODMA\MHODMA\SKGF_DC1;21266;1

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		<u> </u>			ATTY. DOCKET NO. 0942.2850001		APPLI 10/05	CATION NO	Page 1 of 71
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EXAMINER INITIAL		DOC	UMENT BER	DATE	NAME	CL	ASS	SUB- CLASS	2002 2002 2002 ING DATE 04/30/1984
	AA1		73,640	06/16/1987	Backman, K.C.	43	5	68	04/30/1984
	AB1	4,7	43,546	05/10/1998	Backman et al.	43	5	108	02/13/1985
	AC1	4,9	59,317	09/25/1990	Sauer B.L.	43	5	172.3	04/29/1987
	AD1	5,2	27,288	07/13/1993	Blattner, F.R.	43	5	6	10/01/1990
	AE1	5,2	86,632	02/15/1994	Jones	43	5	91.2	01/09/1991
	AF1	5,3	54,668	10/11/1994	Auerbach, J.I.	43	5_	91.1	10/15/1993
	AG1	5,4	34,066	07/18/1995	Bebee, R.L., et al.	43	5	172.3	03/15/1994
	AH1	5,4	70,727	11/28/1995	Mascarenhas et al.	43	5	172.3	12/21/1993
	AI1	5,5	27,695	06/18/1996	Hodges et al.	43	5	172.3	01/29/1993
	AJ1	5,5	91,609	01/07/1997	Auerbach, J.I.	4.3	5	91.2	02/03/1995
	AK1	5,6	14,389	03/25/1997	Auerbach, J.I.	43	5	91.2	09/26/1995
				FOREIG	N PATENT DOCUMENTS				
EXAMINER INITIAL		DOCUM	MENT NUMBER	DATE	COUNTRY	CL	ASS	SUB- CLASS	TRANSLATION
	AL1	EP 0	160 571 A2	11/06/1985	Europe		\	77	Yes No
	AM1	EP 0	300 422	01/25/1989	Europe	إ``	3 6	1,0	Yes
	AN1		L/02801	03/07/1991	WIPO		CH CENTER (B)	- M	Yes
	A01	WO 91	1/16427	10/31/1991	WIPO		多	1 2 5	Yes No
	AP1	WO 92	2/20791	11/26/1992	WIPO		7	& `	Yes No
-			OTHER (Incl	uding Author,	Title, Date, Pertine	nt Pages,	etc.)	<u>B</u>	
	AR	1	Product Re	quired for λ	esman, S., "Purificat: Excisive Recombination ochemistry and Molecu	on," <i>J. Bi</i>	ol. Ch	em. 257(1	6):9658-9662,
	AS	1	Purificati	on and Proper	, R., "Bacteriophage ties of the Cre Recor Society for Biochem:	mbinase Pr	otein,	" J. Biol	. Chem.
	AT	1	Site-speci Biol. Chem	fic DNA Topoi	Bacteriophage Pl Cresonerase Activity of 396, American Society	the Cre R	ecombi	nation Pr	otein," J .
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	AA2	5,6	35,381	06/03/1997	Hooykaas et al.	43	5	172.3	01/20/1995
	AB2	5,6	50,308	07/22/1997	Baum	43	5	172.3	06/07/1995
	AC2	5,6	58,772	08/19/1997	Odell et al.	43	5	172.3	07/27/1994
	AD2	5,6	77,170	10/14/1997	Devine et al.	43	5	20.1	03/02/1994
	AE2	5,6	77,177	10/14/1997	Wahl et al.	43	5	325	06/07/1995
	AF2	5,7	10,248	01/20/1998	Grose, C.F.	53	0	327	07/29/1996
	AG2	5,7	23,765	03/03/1998	Oliver et al.	80	0	208	06/07/1995
	AH2	5,7	33,733	03/31/1998	Auerbach, J.I.	43	5	6	02/01/1996
	AI2	5,7	33,743	03/31/1998	Johnson et al.	43	5	320.1	06/10/1996
	AJ2	5,7	44,336	04/28/1998	Hodges et al.	43	5	172.3	03/08/1996
	AK2	5,7	66,891	06/16/1998	Shuman, S.	43	5	91.41	12/19/1994
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EXAMINER INITIAL		DOC'	UMENT BER	DATE	COUNTRY	CL.	ASS	SUB- CLASS	TRANSLATION
	AL2	WO	93/15191	08/05/1993	WIPO			5	Yes No
	AM2	WO.	93/19172	09/30/1993	WIPO		E	7	Yes No
	AN2	CA :	2,141,412	02/17/1994	Canada		(2 2	Yes No
	A02	WO	94/09127	04/28/1994	WIPO			JUN 2.0 LOOKED	Yes No
	AP2	WO	94/17176	08/04/1994	WIPO			3	Yes No
			OTHER (Inc)	luding Author,	Title, Date, Pertinent Pa	ges,	etc.)	<u>`&</u>	
	AR	<u>2</u>	Recombinat	tion: Evidence	Studies on the Properties of for Topologically Unlinker: 1301-1311, Cell Press (19	ed Pro	Site-	Specific	
	AS	<u>2</u>	Mechanist:	•	Cre-lox Recombination in Est from the <i>in Vitro</i> Reaction 1992).				
	AT	<u>2</u>	lox sites Publisher:	placed in the And Blackwel	te-specific integration of plant genome," Plant J. 7. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	7:649-	659 Ox	ford Bios	Scientific
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	AA3	5,7	776,449	07/07/1998	Baum et al.	42	4	93.2	09/20/1996
	AB3	5,8	330,707	11/03/1998	Bushman, F.D.	43	5	69.7	06/05/1995
	AC3	5,8	337,242	11/17/1998	Holliger et al.	42	4	136.1	05/14/1996
	AD3	5,8	343,772	12/01/1998	Devine, S.E., et al.	43	5	69.1	11/18/1994
	AE3	5,8	351,808	12/22/1998	Elledge et al.	43	5	172.3	02/28/1997
	AF3	5,8	358,657	01/12/1999	Winter et al.	43	5	6	06/07/1995
	AG3	5,8	371,907	02/16/1999	Winter et al.	43	5	6	03/31/1994
	АНЗ	5,8	374,259	02/23/1999	Szybalski, W.	43	5	91.1	11/21/1997
	AI3	5,8	388,732	03/30/1999	Hartley et al.	43	5	6	06/07/1996
<u> </u>	AJ3	5,9	16,804	06/29/1999	Bushman, F.D.	43	5	325	04/17/1998
	AK3	5,9	19,676	07/06/1999	Graham et al.	43	5	172.3	06/07/1995
				FOREIG	ON PATENT DOCUMENTS				
EXAMINER INITIAL			CUMENT IBER	DATE	COUNTRY	CI	ASS	SUB- CLASS	TRANSLATION
	AL3	WO	95/00555	01/05/1995	WIPO			3	Yes No
	АМ3	WO	97/06265	02/20/1997	WIPO			CHOCHTEN 1800 PE	Yes No
	AN3	WO	97/09436	03/13/1997	WIPO			1	Yes
	AO3	wo	97/25446	07/17/1997	WIPO			100	Yes
	AP3	WO	97/32481	09/12/1997	WIPO			02	Yes
		***************************************	OTHER (Inc.	luding Author,	Title, Date, Pertinent	Pages,	etc.)	7	5
	AR	3		on with Its Ta	"The FLP Recombinase or arget Sequences," Cell				
	AS	3	cerevisia	e 2 μ m Plasmid	"Interaction of the FLI with Mutated Target Sec for Microbiology, Wash:	quences,"	Mol.	Cell. Bio	
	AT	<u>3</u>	Adenovirus Control o	s Vector Expre f Gene Express	F.L., "Site-Specific Recessing the Cre Recombination," <i>J. Virol.</i> 69:4600 pn, D.C. (August 1995).	ase Prote	in: a	Molecular	Switch for
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	AA4	5,92	8,914	07/27/1999	Leboulch et al.	43	5	172.3	11/05/1996
	AB4	5,98	9,872	11/22/1999	Luo et al.	43	5	91.2	08/12/1997
	AC4	6,01	0,884	01/04/2000	Griffiths et al.	43	5	69.7	05/29/1996
	AD4	6,04	0,430	03/21/2000	Stewart	53	0	358	12/26/1995
	AE4	6,06	3,627	06/16/2000	McVey et al.	43	5	440	02/25/1998
	AF4	6,14	3,557 B1	11/07/2000	Hartley et al.	43	5	320.1	01/20/1999
	AG4	6,17	1,861 B1	01/09/2001	Hartley et al.	43	5	455	01/12/1998
	AH4	6,22	5,121 B1	05/01/2001	Savakis <i>et al</i> .	43	5	455	04/27/1998
	AI4	6,27	0,969 B1	08/07/2001	Hartley et al.	43	5	6	01/20/1999
	AJ4	6,27	7,608 B1	08/21/2001	Hartley et al.	43	5	91.4	04/22/1999
	AK4	2002	/0007051 A1	01/17/2002	Cheo et al.	53	6	23.1	12/11/2000
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	AN4	WO	99/10488	03/04/1999	WIPO		'ÇN	202	Yes No
	A04	wo	99/21977	05/06/1999	WIPO			162 0	Yes No
	AP4	wo	99/25851	05/27/1999	WIPO			300	Yes X No
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	AR	4	Araki, H., J. Mol. Bi	et al., "Sit ol. 225:25-37	e-specific Recombinas , Academic Press, Inc	e, R, Enco	oded by	y Yeast Pl (1992).	asmid pSR1,"
	AS	4	Argos, P., similariti Oxford (19	es and global	integrase family of diversity," EMBO J.	site-speci 5 <i>(2)</i> :433-4	fic re	ecombinase RL Press L	s: regional imited,
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	AM5	EP	1 035 208	09/13/2000	Europe				Yes No	
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	AS	<u>5</u>	Ausubel, F in Molecul	?.M., et al., ' lar Biology, Jo	"Maps of Plasmids pBR ohn Wiley & Sons, Inc	:322 and pU	JC19," L994).	in Curren	t Protocols	
	AT	<u>5</u>	Ausubel, F Current Pr (1991).	'.M., et al., 'cotocols in Mo.	"Mutagenesis by the Polecular Biology, John	olymerase Wiley & S	Chain Gons, I	reaction,'nc. pp. 8	" in: .5.1-8.5.9	
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	AT	<u>8</u>	Black, L.W	., "In vitro pization of pha	pack age	aging into phage T4 par lambda DNAs," <i>Gene 46:</i> 9	ticle	es and 1, Els	specific	86).	
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	AS	<u>9</u>	Bochner, B J. Bacteri	. R., et al., .ol. 143:926-9	"Positive Selection 33, American Society	for Loss o	f Tetr	acycline 1 (1980).	Resistance,"
	AT	<u>9</u>	and other	., "Turbo clor blunt-ended DN d University F	ning: a fast, efficie NA fragments into pla Press (1993).	ent method smids," <i>Nu</i>	for clo	oning PCR	products 21(4):817-
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	AS	12	Campbell, Bacteriol.	A. M., "Chrom . 174(23):7495	nosomal Insertion S 5-7499, American So	ites for Ph	ages and	l Plasmids Logy (1992	s," σ. :).
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	AS	<u>13</u>	eukaryotic	genetic reco	tein of the yeast 2-μm pla mbination system in <i>Eschei</i> National Academy of Scienc	richia	coli.	" Proc. A	Tatl. Acad.
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	AS	<u>49</u>	Sadowski, cerevisiae 1995).	P.D., "The Fl	p recombinase of 1. Acid Res. Mol	the 2-micron 1. Biol. 51:53	s plasm: -91, Aca	id of Sacc ademic Pre	haromyces ss (July
	AT	<u>49</u>	Sauer, B., vector," I the USA (1	Proc. Natl. Ac	e-specific inser ad. Sci. USA 84:	rtion of DNA in 9108-9112, Na	nto a ps	seudorabie Academy of	s virus Sciences of

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	AS	Sauer, B. and Henderson, N., "The cyclization of linear DNA in Escherichia coli by site-specific recombination," Gene 70:331-341, Elsevier (1988).							
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	AR	51	Sauer, B., Recombinas	"Manipulatio se," Meth. Enz	on of Transgenes by symol. 225:890-900,	Site-Speci Academic P	fic Reco Press Ind	ombination	ı: Use of Cre
	AS	<u>51</u>	Sauer, B.,	"Site-specif chnol. 5:521-5	ic recombination: doi: 27, Current Biology	evelopment , Ltd. (Oc	s and ap	oplication 994).	s," <i>Curr</i> .
	AT	<u>51</u>	targeting	to both a nat	re/lox recombination ural and an enginee: 4613, Oxford Univer:	red site i	n the ye	east genom	ne." Nucl.
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	AS	<u>52</u>	Schindelhauer, D., and Cooke, H.J., "Efficient combination of large DNA in vitro: in gel site specific recombination (IGSSR) of PAC fragments containing α satellite DNA and the human HPRT gene locus," Nucl. Acids Res. 25(11):2241-2243, Oxford University Press (June 1997).						
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	AS	<u>54</u>	Escherich:	numan, S., "Recombination mediated by vaccinia virus DNA topoisomerase I in scherichia coli is sequence specific," <i>Proc. Natl. Acad. Sci. USA 88</i> :10104-0108, National Academy of Sciences of the USA, Washington, D.C. (1991).						
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No Yes AO No Yes ΑP No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) Sizemore, C., et al., "Quantitative analysis of Tn10 Tet repressor binding to a AR <u>55</u> complete set of tet operator mutants, " Nucl. Acids Res. 18(10):2875-2880, Oxford University Press (1990). Smith, A. J. H., et al., "A site-directed chromosomal translocation induced in embryonic stem cells by Cre-loxP recombination," Nat. Gen. 9:376-385, Nature AS <u>55</u> Publishing Co. (April 1995). Snaith, M.R., et al., "Multiple cloning sites carrying loxP and FRT recognition sites for the Cre and Flp site-specific recombinases," Gene 166:173-174, Elsevier AΤ <u>55</u>

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	AS	<u>56</u>	Cycle of E	Bacteriophage :	"Site-specific Reco P1," <i>Cold Spring Ha</i> ratory Press (1981)	arbor Symp. C	d Its Quant.	Role in tl	he Life 297-309,		
	AT	<u>56</u>	Sternberg, Mol. Biol.	N., et al., 187:197-212,	"Bacteriophage P1 c Academic Press, In	ere Gene and	its Re	gulatory I	Region," J.		

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	Thompson, J. F., et al., "Mutations in an Integration Host Fact Effect on Lambda Site-Specific Recombination and Regulatory Imp Bacteriol. 168:1343-1351, American Society for Microbiology (19								ding Site: ons," <i>J</i> .			
	AT	<u>58</u>	Of Dacteri	Thompson, J.F., et al., "Helical-repeat dependence of integrative recombination of bacteriophage λ : Role of the P1 and H1 protein binding sites," Proc. Natl. Acad. Sci. USA 85:6323-6327, National Academy of Sciences of the USA (1988).								
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ATTY. DOCKET NO. 0942.2850001	APPLICATION NO. 10/058,291
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INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 0942.2850001

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	AS	<u>63</u>	Wittmann, 52:35-65,	H.G., "Archi Annual Revie	tecture of Prokar ws, Inc. (1983).	yotic Ribosome	es," Ann	. Rev. Bio	ochem.
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ATTY. DOCKET NO. 0942.2850001

APPLICATION NO. 10/058,291

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Hartley et al. FILING DATE

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